

EMERGENCY

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS Z-	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2009-1218-DIEON
For use by Office of Administrative Law (OAL) only		2009 DEC 18 AM 10:08 OFFICE OF ADMINISTRATIVE LAW	
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY California Department of Corrections and Rehabilitation			AGENCY FILE NUMBER (if any) 09-0128

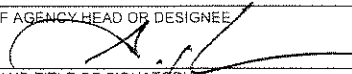
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed <input type="checkbox"/> Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Parole Violation Decision Making Instrument		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT 3768, 3768.1, 3768.2 and 3768.3	
TITLE(S) 15		AMEND	
3. TYPE OF FILING		REPEAL	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <u>Emergency Op Nec. PC 5058.3</u> <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) <input type="checkbox"/> Effective 30th day after filing with Secretary of State <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Randy Marshall		TELEPHONE NUMBER (916) 255-5785	FAX NUMBER (Optional) (916) 255-5601
		E-MAIL ADDRESS (Optional) Randall.marshall@cdcr.ca.gov	

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 12-17-09
TYPED NAME AND TITLE OF SIGNATORY SCOTT KERNAN, Undersecretary, Operations	

For use by Office of Administrative Law (OAL) only

TEXT OF PROPOSED REGULATIONS

In the following, all new language is indicated by underline.

Reserved Article 19 is adopted.

Article 19. PAROLE VIOLATIONS AND REPORTS (~~Reserved~~)

Under Article 19, new Sections 3768, 3768.1, 3768.2, and 3768.3 are adopted to read:

3768. Parole Violation Decision Making Instrument.

(a) The purpose of the Parole Violation Decision Making Instrument (PVDMI) is to enable parole staff to uniformly determine, recommend, and impose proportionate and consistent sanctions for parole violators. These sanctions will be based on the risk level of the offender and the severity of the violation. The risk level of the offender is determined by the California Static Risk Assessment, as described in section 3768.1. The severity of the violation is based on the department's analysis of all technical and criminal violations. Severity rankings were developed in conjunction with, the California Department of Justice, the Board of Parole Hearings, and the department.

(b) The PVDMI shall be used to assess all violations of parole except as noted in section 3768.2.

(c) For the purposes of this section, "severity rankings" are determined by rating all known parole violation codes, as provided in the Violation Code Descriptions, which is incorporated by reference, in a numerical value from 1 to 4.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference Sections 3015, 5076.2, and 5054, Penal Code.

3768.1 California Static Risk Assessment.

(a) The California Static Risk Assessment (CSRA), which is incorporated by reference, is a validated risk assessment tool that utilizes a set of risk factors which are most predictive of recidivism. The tool produces a risk number value that will predict the likelihood that an offender will incur a felony arrest within a three-year period after release to parole.

Risk factors utilized include, but are not limited to, age, gender, criminal misdemeanor and felony convictions, and sentence/supervision violations.

(b) CSRA risk number values fall in one of following five categories:

(1) Low Risk, with a risk number value of "1".

(2) Moderate Risk, with a risk number value of “2”.

(3) High Risk Drug, with a risk number value of “3”. High Risk Drug means that the offender has a greater risk of reoffending with a drug offense.

(4) High Risk Property, with a risk number value of “4”. High Risk Property means that the offender has a greater risk of reoffending with a property offense.

(5) High Risk Violence, with a risk number value of “5”. High Risk Violence means that the offender has a greater risk of reoffending with a property offense.

(c) For the purposes of this section, the CSRA is defined as an actuarial tool that computes the likelihood to re-offend, and uses static indicators that do not change. These indicators include gender, age and offense history of the offender.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference Sections 3015, 5076.2 and 5054, Penal Code.

3768.2. Exclusions from the Mandatory Use of the Parole Violation Decision Making Instrument.

(a) The Parole Violation Decision Making Instrument (PVDMI) shall be used to assess all known parole violations except in the following instances:

(1) Any alleged violation committed by a civil addict commitment.

(2) Any alleged violation committed by a felon from another state who is being supervised in California under the provisions of the Interstate Commission for Adult Offender Supervision (Compact).

(3) Any alleged violation which is based on in-custody behavior.

(4) If the automated PVDMI system is inoperable due to system failure. The Parole Automation Team (PAT) will notify system users of the failure and estimated time of system restoration, via electronic mail. Upon restoration of the system, the PAT will utilize electronic mail to notify users that the system is operational.

(5) Any alleged violation committed by a participant of a reentry court program shall have his or her violation referred to the reentry court for adjudication.

(b) For the purposes of this section, the PAT is defined as staff assigned to the Division of Adult Parole Operations that are responsible for the information technology and automation needs of the Division, and are responsible for the maintenance and support of the PVDMI system.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3015, 5076.2 and 5054, Penal Code; Sections 11469-11495, Health and Safety Code.

3768.3. Utilization of the Parole Violation Decision Making Instrument.

(a) The automated CDCR Form 1500 (08/08), Parole Violation Decision Making Instrument (PVDMI), which is incorporated by reference, shall be utilized as the reporting mechanism for the following types of alleged parole violations:

- (1) Any alleged violation that can be adjudicated at the unit level.
- (2) Any alleged violation referred to the Board of Parole Hearings for final adjudication with a recommendation to Continue On Parole, when the offender is not in custody, excluding:

(A) Residential Substance Abuse or Treatment Program placement recommendations.

(B) In-Custody Drug Treatment Program placement recommendations.

(b) The automated CDCR Form 1500, PVDMI, shall be printed upon completion and shall accompany the CDC Form 1676 (Rev. 3/97), Charge Sheet/Revocation Tracking/Scheduling Request, that is forwarded to the Board of Parole Hearings for final adjudication. The CDC Form 1676 is incorporated by reference. Violations for which the CDCR Form 1500, PVDMI, should accompany the CDC Form 1676 include:

- (1) Alleged violations with a final recommendation of revocation.
- (2) Alleged violations with a final recommendation for Parolee Substance Abuse Program placement.
- (3) Alleged violations with a final recommendation for In-Custody Drug Treatment Program placement.

(c) The automated CDCR Form 1500, PVDMI, shall be completed prior to the removal of a Penal Code section 3056 parole hold. The CDCR Form 1500 is not required to be completed when an investigation reveals that no parole violation occurred.

(d) The responsible parole agent will complete the following sections of the automated CDCR Form 1500, PVDMI:

- (1) Section A, Offender Information. Section A requires manual entry for those portions that do not auto-populate upon entry of the offender's prison number.
- (2) Section B, California Static Risk Level. Section B shall auto-populate. When a California Static Risk Assessment (CSRA) risk number value, as described in section

3768.1, is unavailable, the parole agent is responsible for requesting a CSRA risk number value upon discovery of the violation.

(3) Section C, Violations. Section C requires manual entry for those portions that do not auto-populate.

(4) Section D, Circumstances of Charges. Section D requires manual entry clearly articulating the facts and circumstances for each charged violation.

(5) Section E, Mandatory Report to the Board of Parole Hearings. Section E requires manual entry to designate if the violation(s) are required to be reported to the Board of Parole Hearings in accordance with section 2616 of the California Code of Regulations, Title 15, Division 2.

(6) Section F, Instrument Response Level. Section F shall auto-populate an appropriate response level to the alleged violation. Response levels include:

(A) Least Intensive. Least Intensive responses are those responses to a violation that impose a minimal sanction and are based on the severity of the violation and the risk score of the offender who committed the violation. The Least Intensive Response Level could include a verbal reprimand, the imposition of a curfew, or increased reporting instructions.

(B) Moderately Intensive. Moderately Intensive responses are those responses to a violation that impose a medium-range sanction and is based the severity of the violation and the risk score of the offender who committed the violation. The Moderately Intensive Response Level could include community service, increased urinalysis testing, or referral to a structured program.

(C) Most Intensive A. Most Intensive A responses are those responses to a violation that impose a higher range sanction and are based on the severity of the violation and the risk score of the offender who committed the violation. The Most Intensive A Response Level could include a referral to an In-Custody Drug Treatment Program or placement into Mental Health Services.

(D) Most Intensive B. Most Intensive B responses are those responses to a violation that impose the highest range sanction and are based on the severity of the violation and the risk score of the offender who committed the violation. The Most Intensive B Response Level would result in a recommendation for revocation by the parole agent.

(E) Most Intensive C. Most Intensive C responses are those responses to a violation that impose the highest range sanction and are based on the severity of the violation and the risk score of the offender who committed the violation. The Most Intensive C Response Level would result in a recommendation for revocation by the PVDML.

(7) Section G, Recommended Responses. Section G requires the parole agent to select a recommended response level as provided for in Section F, or the parole agent may select an alternative response level. An alternative response selection will require the completion of the "Parole Agent Override Section."

(8) Parole Agent Override Section. The parole agent shall indicate stabilizing factors, which would mitigate the offender's risk and support a less intensive response, or destabilizing factors, which would support a more intense response. Overrides should not adjust the response level by more than one level.

(9) Section H, Agent's Recommended Response Level. The parole agent shall indicate the specific program that the offender will be required to complete based on the selected response level.

(e) The parole unit supervisor, or designee, shall ensure the responsible parole agent completed all the required sections of the automated CDCR Form 1500, PVDMI. Once verified, the unit supervisor shall complete Section I, Unit Supervisor's Determination of the automated CDCR Form 1500, PVDMI.

(1) Once the unit supervisor reviews the CDCR Form 1500, PVDMI, the "Unit Response Level" shall be selected. Unit Response Levels that differ from the response level provided by an agent require articulation of the difference of opinion in the "comments" area of Section I.

(2) The unit supervisor shall print and sign the completed CDCR Form 1500, PVDMI document, attach any supporting documents, and forward the completed PVDMI packet for processing.

(f) Upon receipt of the completed PVDMI packet, the Decentralized Revocation Unit parole administrator shall review the parole unit's response level on the CDCR Form 1500, PVDMI.

(1) For violations that do not require adjudication by the Board of Parole Hearings (BPH), the parole administrator can elect to:

(A) Retain the response provided by the unit supervisor and forward the completed PVDMI packet to the BPH.

(B) Modify the response provided by the unit supervisor, documenting the change in Section J of the automated CDCR Form 1500, PVDMI, and forward the packet to the BPH, or return the packet to the parole unit, depending on the modification.

(2) For violations that do require final adjudication by the BPH, the parole administrator can elect to:

(A) Retain the response provided by the unit supervisor and forward the completed PVDMI packet to the BPH.

(B) Modify the response provided by the unit supervisor, documenting the change in Section J of the automated CDCR Form 1500, PVDMI and forward the packet to the BPH.

(g) A printed copy of the completed automated CDCR Form 1500, PVDMI, shall be provided, or postmarked for delivery, to the parolee within 10 working days of the final adjudication of the alleged violation.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3015, 5054 and 5076.2, Penal Code.

Violation Code Descriptions

Violation Code	DESCRIPTION	Severity of Violation			DOJ Hierarchy	BPH Guidelines
		Non-Sex Offender	Sex Offender	High Risk Sex Offender		
Technical Violations						
10	Failure to attend the Parole Outpatient Clinic	1	3	3	N/A	5 to 9
11	Use of alcohol	1	2	3	N/A	0 to 4
12	Failure to participate in anti-narcotic testing	1	2	3	N/A	0 to 4
13	Association with persons prohibited by P&CSD/BPT	3	3	3	N/A	10 to 12
14	Being present in prohibited areas without permission	3	3	3	N/A	10 to 12
19	Violation of special conditions of parole	2	3	3	N/A	5 to 9
20	Failure to report to P&CSD	1	3	3	N/A	5 to 9
21	Absconding parole supervision	2	3	3	N/A	5 to 9
22	Changing residence w/o informing P&CSD	1	2	3	N/A	5 to 9
23	Changing employment w/o informing P&CSD	1	2	2	N/A	0 to 4
24	Failure to follow instructions from P&CSD	1	2	2	N/A	0 to 4
25	Failure to inform P&CSD of criminal arrests	1	2	2	N/A	0 to 4
27	Leaving county of residence beyond 48 hours w/o P&CSD approval	1	2	3	N/A	0 to 4
28	Traveling beyond 50 mi. from residence w/o P&CSD approval	1	2	2	N/A	0 to 4
34	Unauthorized possession of knife with a blade exceeding 2 inches	2	2	3	N/A	5 to 9
37	Access to a firearm	2	2	2	N/A	5 to 9
38	Access to a deadly weapon [PC 12020]	2	2	2	N/A	5 to 9
39	Possession of a simulated firearm	3	3	3	N/A	10 to 12
41	Access to a simulated firearm	2	2	2	N/A	5 to 9
42	Possession of ammunition for a firearm	2	2	3	N/A	5 to 9
43	Access to ammunition for a firearm	2	2	2	N/A	5 to 9
44	Access to a stun gun/taser	2	3	3	N/A	5 to 9
45	Access to a tear gas gun/dispenser	2	2	2	N/A	5 to 9
46	Access to crossbow	2	2	2	N/A	5 to 9
47	Gang participations [includes association]	3	3	3	N/A	10 to 12

Violation Code Descriptions

Homicide						
100	Murder	4	4	4	4	10 to 12
120	Voluntary manslaughter	4	4	4	4	10 to 12
125	Involuntary manslaughter	4	4	4	4	10 to 12
135	Attempted manslaughter	4	4	4	4	10 to 12
150	Attempted murder	4	4	4	4	10 to 12
170	Conspiracy to commit murder	4	4	4	3	10 to 12
175	Accessory to murder	4	4	4	3	10 to 12
180	Accessory to manslaughter	4	4	4	3	10 to 12
Robbery						
205	Robbery [with weapon]	4	4	4	4	10 to 12
215	Robbery [with simulated weapon]	4	4	4	4	10 to 12
225	Robbery [no weapon]	4	4	4	4	10 to 12
235	Attempted robbery	4	4	4	3	10 to 12
245	Attempted robbery [with simulated weapon]	4	4	4	4	10 to 12
255	Attempted robbery [no weapon]	4	4	4	3	10 to 12
265	Accessory to robbery	4	4	4	3	10 to 12
270	Conspiracy to commit robbery	4	4	4	3	10 to 12
275	Grand theft person	3	3	3	3	10 to 12
Rape & Sexual Assaults						
300	Rape	4	4	4	4	10 to 12
325	Unlawful sexual intercourse [PC 261.5/statutory rape]	3	4	4	4	10 to 12
333	Assault with intent to commit rape, sodomy, oral copulation or mayhem	4	4	4	4	10 to 12
335	Attempted rape	4	4	4	4	10 to 12
340	Lewd/lascivious acts with children under 14 years old	4	4	4	4	10 to 12
345	Oral copulation with minor or non-consenting adult	4	4	4	4	10 to 12
350	Oral copulation in jail or prison [consensual]	4	4	4	4	5 to 9
355	Sodomy with minor or non-consenting adult	4	4	4	4	10 to 12
360	Sodomy in jail or prison	4	4	4	4	5 to 9
365	Incest	3	4	4	4	10 to 12
372	Annoying children	3	4	4	4	10 to 12
373	Loitering - schools and play grounds	2	3	4	2	10 to 12

Violation Code Descriptions

375	Indecent exposure	3	3	4	2	5 to 9
380	Penetration by foreign object	4	4	4	4	10 to 12
383	Pimping/pandering	2	3	4	4	5 to 9
385	Sexual battery	4	4	4	4	10 to 12
390	Failure to register per PC 290		3	3	4	5 to 9
391	Refusal to comply per PC 296	4	4	4	3	5 to 9
395	Other non-aggressive sex offenses, not involving minors	3	3	3	3	5 to 9
397	Other sexual offenses involving non-consenting or vulnerable victims	4	4	4	4	10 to 12
Battery & Assault						
400	Assault with deadly weapon [not a firearm]	3	3	3	4	10 to 12
410	Assault with deadly weapon on a peace officer	4	4	4	4	10 to 12
413	Assault on peace officer	4	4	4	4	10 to 12
415	Assault with caustic substance	4	4	4	4	10 to 12
420	Assault with intent to commit murder	4	4	4	4	10 to 12
423	Assault with great bodily injury	4	4	4	4	10 to 12
430	Assault	3	3	3	4	5 to 9
435	Assault on spouse/child	4	4	4	4	10 to 12
440	Administer poison	4	4	4	4	10 to 12
445	Mayhem	4	4	4	4	10 to 12
451	Battery without serious injury	3	3	3	4	5 to 9
452	Battery on a peace officer	4	4	4	2	10 to 12
453	Battery with great bodily injury	4	4	4	4	10 to 12
455	Battery spouse/child	4	4	4	4	10 to 12
460	Cruelty to a child	4	4	4	4	10 to 12
495	Other crime in which great bodily injury is inflicted	4	4	4	4	10 to 12
497	Other crime posing major personal risk to others	3	3	3	3	10 to 12
498	Drive-by shooting	4	4	4	4	10 to 12
499	Threat to Commissioner/Deputy Commissioner/Family	4	4	4	4	10 to 12

Burglary-Theft

Burglary-Theft						
505	Burglary 1st [includes inhabited dwelling, occupants present or not]	4	4	4	4	10 to 12
507	Attempted burglary 1st degree	4	4	4	4	10 to 12
513	Burglary while armed with firearm/other weapons	4	4	4	4	10 to 12
515	Burglary 2nd [non-inhabited building]	3	3	3	3	10 to 12
517	Attempted burglary 2nd	2	2	2	4	10 to 12
540	Burglary with use of explosives	4	4	4	4	10 to 12
545	Burglary of an automobile	2	2	2	3	10 to 12
547	Attempted burglary of an automobile	2	2	2	2	10 to 12
555	Possession of burglary tools	1	2	2	2	5 to 9
565	Tampering with an automobile	1	2	2	2	5 to 9
600	Non-sufficient fund check	1	2	2	2	5 to 9
605	Credit card theft or illegal use of a credit card	2	2	2	3	10 to 12
610	Possession of counterfeit dies and plates	2	2	2	2	10 to 12
615	Embezzlement	2	2	2	4	10 to 12
620	Forgery	2	2	2	4	10 to 12
630	Fraud	2	2	2	2	10 to 12
645	Grand theft	2	2	2	3	10 to 12
650	Attempted grand theft	2	2	2	2	10 to 12
655	Grand theft auto	2	2	2	3	10 to 12
660	Misappropriation of public moneys	2	2	2	3	10 to 12
665	Operating a motor vehicle w/o owner's permission	2	2	2	3	5 to 9
669	Petty theft	1	2	2	2	5 to 9
670	Petty theft with a prior	2	2	2	2	5 to 9
672	Attempted petty theft	1	1	1	2	5 to 9
676	Receiving/ of stolen property	2	2	2	3	5 to 9
685	Conspiracy to commit a property offense	2	2	2	2	5 to 9
686	Soliciting another to commit a property crime	2	2	2	2	5 to 9
690	Extortion	4	4	4	4	5 to 9
697	Other property crimes	2	2	2	2	5 to 9

Violation Code Descriptions

Drug Violations: Possession/Use/Sales							
700	Sale of heroin to a minor	4	4	4	3 & 4	10 to 12	
702	Sale of heroin	3	3	3	3 & 4	10 to 12	
704	Possession of heroin for sale [including code 701]	3	3	3	3 & 4	10 to 12	
706	Manufacture/sale of heroin	3	3	3	3 & 4	10 to 12	
707	Possession of heroin [simple possession]	2	2	2	2 & 3	5 to 9	
709	Use of heroin	2	2	2	3	0 to 4	
710	Sale of cocaine to a minor	4	4	4	3	10 to 12	
712	Sale of cocaine	3	3	3	3 & 4	10 to 12	
714	Possession of cocaine for sale	3	3	3	3 & 4	10 to 12	
716	Manufacture/sale of cocaine	3	3	3	3 & 4	10 to 12	
717	Possession of cocaine [Simple Possession]	2	2	3	2 & 3	5 to 9	
719	Use of cocaine	2	2	2	3	0 to 4	
720	Sale of marijuana to a minor	4	4	4	3 & 4	10 to 12	
724	Possession of marijuana for sale	2	2	3	3 & 4	10 to 12	
726	Sale of marijuana	2	2	3	3 & 4	10 to 12	
727	Possession of marijuana [1oz or 28.5 grams, or less]	1	2	2	1	0 to 4	
728	Possession of marijuana [more than 1oz or 28.5 grams]	2	2	3	4	5 to 9	
729	Use of marijuana	1	2	2	3	0 to 4	
730	Sale of PCP to a minor	4	4	4	3 & 4	10 to 12	
732	Sale of PCP	3	3	3	3 & 4	10 to 12	
734	Possession of PCP for sale	3	3	3	3 & 4	10 to 12	
736	Manufacture of PCP	3	3	3	3 & 4	10 to 12	
737	Possession of PCP [simple possession]	3	3	3	2 & 3	5 to 9	
739	Use of PCP	3	3	3	3	0 to 4	

Violation Code Descriptions

740	Sale of other illicit drugs to a minor	4	4	4	3	10 to 12
742	Sale of other drugs	3	3	3	3 & 4	10 to 12
744	Possession of other drugs for sale	3	3	3	3 & 4	10 to 12
746	Manufacture of other illicit drugs	3	3	3	3 & 4	10 to 12
747	Possession of any other illicit controlled substance [simple possession]	2	2	3	2 & 3	5 to 9
749	Use of any other illicit controlled substance	2	2	3	3	0 to 4
750	Possession of drug paraphernalia [related to drug use]	2	2	2	3	0 to 4
755	Sale of a substance in lieu of a controlled substance	2	2	2	2	5 to 9
760	Forgery of a prescription	2	3	3	3	5 to 9
770	Sale of amphetamine/methamphetamine to a minor	4	4	4	3	10 to 12
773	Sale of amphetamine/methamphetamine	3	3	3	3 & 4	10 to 12
775	Possession of amphetamine/methamphetamine for sale	3	3	3	3 & 4	10 to 12
776	Illicit possession of amphetamine/methamphetamine	2	2	3	2 & 3	5 to 9
777	Manufacture of amphetamine/methamphetamine	3	3	3	3 & 4	10 to 12
778	Illicit use of amphetamine/methamphetamine	2	2	3	3	0 to 4
779	Loitering in area of drug-related activity	1	1	1	2	0 to 4
780	Under the influence of a controlled substance	2	2	2	3	0 to 4
790	Use of drugs in jail or prison	2	2	2	3	10 to 12
793	Other violations of law relating to drug use	2	2	3	2	5 to 9
795	Other controlled substance offenses	2	2	3	2	5 to 9

Violation Code Descriptions

Firearms & Weapons									
810	Possession/manufacture/sale of a deadly weapon [other than a firearm]	3	3	3	3	3	3	3	10 to 12
815	Possession of a deadly weapon	3	3	3	3	3	3	3	10 to 12
822	Use of a deadly weapon [use 815 instead]	3	3	3	3	3	3	3	10 to 12
823	Use of deadly weapon in the commission of a felony	3	3	3	3	3	3	3	10 to 12
825	Possession of a firearm	4	4	4	4	4	4	4	10 to 12
827	Use of a firearm [use 825 instead]	4	4	4	4	4	4	4	10 to 12
830	Bringing firearm or weapon into prison or jail	4	4	4	4	4	4	4	10 to 12
831	Possession of a concealable firearm [use 825 instead]	4	4	4	4	4	4	4	10 to 12
832	Possession of any firearm w/ prior firearm use conviction [use 825]	4	4	4	4	4	4	4	10 to 12
833	Possession of non-concealable firearm w/prior firearm use conviction [825]	4	4	4	4	4	4	4	10 to 12
834	Armed with a firearm in the commission of a felony [825]	4	4	4	4	4	4	4	10 to 12
835	Possession of a stun gun or taser	3	3	3	3	3	3	2 & 3	10 to 12
836	Possession of cross bow	3	3	3	3	3	3		10 to 12
837	Use of stun gun or taser	3	3	3	3	3	3	4	10 to 12
840	Possession of a tear gas gun/dispenser	3	3	3	3	3	3	2 & 3	10 to 12
843	Use of tear gas gun or dispenser	3	3	3	3	3	3	4	10 to 12
845	Brandishing/displaying a weapon (other than a firearm)	3	3	3	3	3	3	2, 3 & 4	10 to 12
847	Brandishing a firearm	4	4	4	4	4	4	4	10 to 12
848	Other offenses involving the use/possession of firearm or deadly weapon	4	4	4	4	4	4	4	10 to 12
849	Other weapon violations	3	3	3	3	3	3	2, 3 & 4	10 to 12
Driving Violations									
850	Driving under the influence of alcohol/drugs [1st Offense]	3	3	3	3	3	3	2	5 to 9
855	Driving under the influence of alcohol/drugs [2nd offense or injury]	4	4	4	4	4	4	4	10 to 12
865	Reckless driving	2	2	2	2	2	2	3	5 to 9
867	Reckless driving [situation posed extreme risk to others]	3	3	3	3	3	3	3	10 to 12
869	Reckless driving [injury]	4	4	4	4	4	4	3	10 to 12
873	Property hit and run	2	2	2	2	2	2	2	5 to 9
874	Driving with revoked or suspended license	2	2	2	2	2	2	1	5 to 9
875	Vehicular manslaughter- Ineligible if 191.5 or 192(C)(3)	4	4	4	4	4	4	4	10 to 12
880	Evading peace officer (CVC 2800.1)	3	3	3	3	3	3	1	10 to 12
899	Other driving violations	2	2	2	2	2	2	1, 2 & 3	5 to 9

Violation Code Descriptions

Miscellaneous Crimes									
900	Child stealing	4	4	4	4	4	4	4	10 to 12
907	Hostage taking	4	4	4	4	4	4	4	10 to 12
911	Kidnapping	4	4	4	4	4	4	4	10 to 12
915	Threaten/harass another	2	2	2	2	2	2	2	5 to 9
922	Possession of alcohol/controlled substances in a detention facility	3	3	3	3	3	3	3	10 to 12
924	Bringing alcohol/controlled substances in a detention facility	3	3	3	3	3	3	3	10 to 12
926	Arson - inhabited dwelling-ineligible if 451 (a) PC	4	4	4	4	4	4	4	10 to 12
928	Arson - other structure, property forest lands	4	4	4	4	4	4	4	10 to 12
931	Contributing to the delinquency of a minor	2	2	2	2	2	2	2	5 to 9
934	Destroying public property	1	1	2	2	2	2	2 & 3	5 to 9
937	Disturbing the peace	1	1	2	2	2	2	1	5 to 9
938	Resisting arrest	3	3	3	3	3	3	3 & 4	5 to 9
939	Drunk in public	2	2	2	2	2	2	2	5 to 9
940	Escape without force	3	3	3	3	3	3	4	10 to 12
943	Escape from jail/prison with force	4	4	4	4	4	4	4	10 to 12
947	Failure to register per H&S 11590	1	1	1	1	1	1	2	5 to 9
948	Failure to register per PC 457.1 [Arson]	2	2	2	2	2	2	2	5 to 9
950	False identification to a police officer	2	2	2	2	2	2	1	5 to 9
952	False information to peace officer (VC 31)	2	2	2	2	2	2	1	5 to 9
953	Illegal entry into the USA	3	3	3	3	3	3		5 to 9
961	Prostitution	2	2	4	4	4	4	3	5 to 9
962	Soliciting for prostitution/sexual acts	2	2	4	4	4	4	3	5 to 9
963	Incite another to participate in a riot	2	2	2	2	2	2	2	5 to 9
964	Failure to participate in or complete a spousal batterer program	2	2	3	3	3	3		5 to 9
965	Participation in a riot	3	3	3	3	3	3	2	5 to 9
967	Soliciting another to commit nonviolent crime	2	2	2	2	2	2	2	5 to 9
969	Trespassing	1	1	2	2	2	2	1 & 2	5 to 9
972	Vandalism/malicious mischief	1	1	2	2	2	2	3	5 to 9
976	Committing any non-violent felony not listed	2	2	2	2	2	2	1, 2, 3 & 4	5 to 9
977	Conspiracy to commit any non-violent felony not listed	2	2	2	2	2	2	1, 2, 3 & 4	5 to 9
978	Attempt to commit any non-violent felony not listed	2	2	2	2	2	2	1, 2, 3 & 4	5 to 9

Violation Code Descriptions

979	Accessory to any non-violent felony not listed	2	2	2	3	5 to 9
985	Conspiracy to commit a violent crime	4	4	4	4	10 to 12
986	Attempt to commit a violent crime	4	4	4	4	10 to 12
987	Accessory to a violent crime	3	3	3	3	10 to 12
988	Soliciting another to commit a violent crime	3	3	3	3	10 to 12
990	Possession of caustic chemicals with intent to harm others	4	4	4	4	10 to 12
991	Carjacking	4	4	4	4	10 to 12
992	Criminal threats	3	3	3	2 & 3	10 to 12
993	Stalking	3	4	4	3	10 to 12
996	Refusal to sign Parole Conditions [Assessment up to 6 months]	3	3	3		6
997	Other misdemeanors not listed	1	2	2	1, 2, 3 & 4	5 to 9
998	Other violent crimes not listed	4	4	4	1, 2, 3 & 4	10 to 12
999	Other nonviolent crimes not listed	1	2	2	1, 2, 3 & 4	5 to 9

California Static Risk Assessment
Offender Risk Factors

I. Demographics			
1. Age	<input type="radio"/> 60 or older (0) <input type="radio"/> 50 to 59 (1) <input type="radio"/> 40 to 49 (2) <input type="radio"/> 30 to 39 (3)	<input type="radio"/> 20 to 29 (4) <input type="radio"/> 18 to 19 (5) <input type="radio"/> 13 to 17 (6)	
2. Gender	<input type="radio"/> Female (0)	<input type="radio"/> Male (1)	
II. Total Felony Convictions			
3. Felony Convictions	<input type="radio"/> First (1) <input type="radio"/> Second (2) <input type="radio"/> Third (3)	<input type="radio"/> Fourth (4) <input type="radio"/> Fifth or more (5)	
III. Total Adult Felony Record			
(All prior and current times the offender was sentenced. Each sentence is defined by a unique or different date of sentence.)			
4. Felony homicide offense: murder/manslaughter	<input type="radio"/> None (0)	<input type="radio"/> One or more (1)	
5. Felony sex offense	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two or more (2)	
6. Felony violent property conviction for a felony robbery/ kidnapping/extortion/unlawful imprisonment/custodial interference offense/harassment/burglary 1/arson 1	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two or more (2)	
7. Felony assault offense—not domestic violence related	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two (2) <input type="radio"/> Three or more (3)	
8. Felony domestic violence assault or violation of a domestic violence related protection order, restraining order, or no-contact order/harassment/malicious mischief	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two or more (2)	
9. Felony weapon offense	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two or more (2)	
10. Felony property offense	<input type="radio"/> None (0) <input type="radio"/> One (1) <input type="radio"/> Two (2)	<input type="radio"/> Three (3) <input type="radio"/> Four (4) <input type="radio"/> Five or more (5)	
11. Felony drug offense	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two (2) <input type="radio"/> Three or more (3)	
12. Felony escape	<input type="radio"/> None (0)	<input type="radio"/> One or more (1)	

IV. Total Adult Misdemeanor Record

Total number of sentences, past and current, involving a misdemeanor conviction for:

13. Misdemeanor assault offense—not domestic violence related	<input type="radio"/> None (0) <input type="radio"/> One (1) <input type="radio"/> Two (2)	<input type="radio"/> Three (3) <input type="radio"/> Four (4) <input type="radio"/> Five or more (5)
14. Misdemeanor domestic violence assault or violation of a domestic violence related protection order, restraining order, or no-contact order	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two or more (2)
15. Misdemeanor sex offense	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two or more (2)
16. Misdemeanor other domestic violence: any non-violent misdemeanor convictions such as trespass, property destruction, malicious mischief, theft, etc., that are connected to domestic violence	<input type="radio"/> None (0)	<input type="radio"/> One or more (1)
17. Misdemeanor weapon offense	<input type="radio"/> None (0)	<input type="radio"/> One or more (1)
18. Misdemeanor property offense	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two (2) <input type="radio"/> Three or more (3)
19. Misdemeanor drug offense	<input type="radio"/> None (0) <input type="radio"/> One (1)	<input type="radio"/> Two or more (2)
20. Misdemeanor escapes	<input type="radio"/> None (0)	<input type="radio"/> One or more (1)
21. Misdemeanor alcohol offense	<input type="radio"/> None (0)	<input type="radio"/> One or more (1)
V. Total Sentence/Supervision Violations		
22. Total sentence/supervision violations	<input type="radio"/> None (0) <input type="radio"/> One (1) <input type="radio"/> Two (2)	<input type="radio"/> Three (3) <input type="radio"/> Four (4) <input type="radio"/> Five or more (5)

A	CDC Number	Offender Name (LAST, FIRST, MI)	Parole Unit	Region
Controlling Discharge Date		Discharge Review Date	Date of Discovery	Hold Date
Hold Removed Date				
Booking Number		Name Booked As		Arresting Agency
Commitment Offense(s):				
Offense		Controlling		
Commitment Offense(s) Subject to PC Section 667.5 (c)? <input type="radio"/> Yes <input type="radio"/> No				
DEC System Checked <input type="radio"/> Yes <input type="radio"/> No				
Disability/Effective Communication Information:				
B	CSRA Risk Level: <input type="radio"/> Low (1) <input type="radio"/> Medium (2) <input type="radio"/> High - Drug (3) <input type="radio"/> High - Property (3) <input type="radio"/> High - Violent (3)			
	Is Parolee a Sex Offender (as defined by PC Section 290)? <input type="radio"/> Yes <input type="radio"/> No If yes, indicate STATIC-99 Risk Category: <input type="radio"/> Low (Score of 3 or less) <input type="radio"/> High (Score of 4 or more)			
C	Violation(s):			
D	Circumstances of Charge(s):			
E	Mandatory Report to BPH: <input type="radio"/> YES <input type="radio"/> NO Violation Severity Score:			
F	Recommended Response Level: <input type="radio"/> Least Intensive <input type="radio"/> Moderately Intensive <input type="radio"/> Most Intensive A <input type="radio"/> Most Intensive A or Most Intensive B <input type="radio"/> Most Intensive C			
G	Recommended Responses: Check the box in the assigned response level that will most effectively address the violation behavior. Some exceptional circumstances may warrant selection of more than one response. If options within the assigned response level are not appropriate, proceed to the optional "Override" Section I of this form.			
Response Level 1: Least Intensive - Select All That Apply				
<div><input type="checkbox"/> Verbal Reprimand (1a) Encourage Offender to Obtain and Maintain <input type="checkbox"/> Full Time Employment; Refer to Employment Agencies/Programs (1b) <input type="checkbox"/> Increase Reporting Requirements (1c) <input type="checkbox"/> Written Travel Restriction (1d) <input type="checkbox"/> Imposition of Curfew (1e) <input type="checkbox"/> Imposition of any other Condition with a Nexus to the Violation or Offense (1f)</div> <div><input type="checkbox"/> Behavioral Contract (1g) <input type="checkbox"/> Referral to PACT Program (1h) <input type="checkbox"/> Referral to Parole Agent Sponsored Program (e.g., Life Skills Women's Group) (1i) <input type="checkbox"/> Referral to Community Based Substance Abuse Treatment Program (1j) <input type="checkbox"/> Referral to Community Based Support Group: AA/NA (1k)</div> <div><input type="checkbox"/> Referral to Certified Community-Based Outpatient Counseling/Treatment Services (1l) <input type="checkbox"/> Proposition 36 Program (1m) <input type="checkbox"/> Imposition of EID (1n) <input type="checkbox"/> Referral to other Program (Long-Term Use of Remedial Sanctions) (1o) <input type="checkbox"/> Restart Program (1p)</div>				

CDC Number	Offender Name (LAST, FIRST, MI)	Parole Unit	Date of Discovery
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Response Level 2: Moderately Intensive - Select All That Apply

<input type="checkbox"/> Case Review Reassessment (2a)	<input type="checkbox"/> Imposition of Curfew or Increased Curfew Enhancement (2i)	<input type="checkbox"/> Referral to Parolee Service Center (PSC) (2p)
<input type="checkbox"/> Referral to Psychological Assessment/Evaluation (2b)	<input type="checkbox"/> Referral to Domestic Violence Program (2j)	<input type="checkbox"/> Referral to Community-Based Coalition (CBC) (2q)
<input type="checkbox"/> Community Service Hours (2c)	<input type="checkbox"/> Referral to Day Reporting Center (DRC) (2k)	<input type="checkbox"/> Referral to Female Residential Service Center (FRMSC) (2r)
<input type="checkbox"/> Program Restrictions - Specific Limitations (2d)	<input type="checkbox"/> Referral to Structured Residential or Outpatient Drug Treatment Program (2l)	<input type="checkbox"/> Referral to Residential Multi-Service Center (RMSC) (2s)
<input type="checkbox"/> Geographic Restrictions - Specific Limitations (2e)	<input type="checkbox"/> Increase Number of Substance Abuse Support Group Meetings Attendance (2m)	<input type="checkbox"/> Increase Length of Treatment/Cognitive Program (2t)
<input type="checkbox"/> Increase UA Testing (2f)	<input type="checkbox"/> Referral to Other Programs (Long-Term Use of Remedial Sanctions) (2n)	<input type="checkbox"/> Increase Supervision Level (2u)
<input type="checkbox"/> Daily Reporting with Option of UA Testing (2g)	<input type="checkbox"/> Mandate Participation and Completion of a Structured Residential or Outpatient Substance Abuse Treatment Program (2o)	<input type="checkbox"/> Referral to Community-Based In-Custody Drug Treatment Program (ICDTP) (2v)
<input type="checkbox"/> Establish No-Contact Orders (2h)		

Response Level 3: Most Intensive - Select All That Apply

Most Intensive - A

<input type="checkbox"/> Placement into Mental Health Services (3a)
<input type="checkbox"/> Placement into Intensive Licensed/Certified Residential or Outpatient Drug Treatment Program (3b)
<input type="checkbox"/> Refer to Parolee Substance Abuse Program (3c)
<input type="checkbox"/> Refer to In-Custody Drug Treatment Program (3d)

Most Intensive - B

<input type="checkbox"/> Recommend for Revocation (3e)
--

Response Level 4: Most Intensive C

<input type="checkbox"/> Recommend for Revocation (4a)
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H Agent's Recommended Response Level:

☐ Least Intensive ☐ Moderately Intensive ☐ Most Intensive A ☐ Most Intensive B ☐ Most Intensive C

Agent's Response (Please be specific when indicating response; e.g. identify the program the offender is required to attend):

Comments:

Badge #	Name	Signature	Date
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CDC Number	Offender Name (LAST, FIRST, MI)	Parole Unit	Date of Discovery
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I	Override (Optional): This section shall be utilized only in extraordinary circumstances, and when an override is warranted. Indicate which factors are present to justify an adjustment in response level. The presence of stabilizing factors may suggest that the offender's risk can be appropriately mitigated. The presence of destabilizing factors may suggest that the offender's risk can be aggravated. Only in extreme circumstances should the recommended response be adjusted by more than one level.
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Parole Agent Override: <i>Note to Agent: You must choose either Stabilizing or Destabilizing Factors, or both.</i>
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Stabilizing Factors: Select All That Apply	Destabilizing Factors: Select All That Apply
<input type="checkbox"/> Presence of Positive Family, Peer or other Social Support in the Community (S1) <input type="checkbox"/> Job Stability (S2) <input type="checkbox"/> Enrollment and Participation in an Established Education and / or Treatment Program (S3) <input type="checkbox"/> Stable and Appropriate Residence (S4) <input type="checkbox"/> Positive Performance History on Supervision (S5) <input type="checkbox"/> Lack of Appropriate Program in Recommended Response <input type="checkbox"/> Level with Appropriate Program Available at Lower Response Level (S6) <input type="checkbox"/> Other: Please Explain (S7) Comments	<input type="checkbox"/> Violation is Directly Related to Either the Commitment Offense or a Pattern of Previous Criminal Behavior (D1) <input type="checkbox"/> Acutely Unstable Home Situation (D2) <input type="checkbox"/> Demonstrated Inability of the Offender to Support Self (D3) <input type="checkbox"/> Evidence of Escalating Drug or Alcohol Addiction (D4) <input type="checkbox"/> Chronic Pattern of Violations While Under Supervision (D5) <input type="checkbox"/> Lack of any Appropriate Program in Recommended Response Level (D6) <input type="checkbox"/> Other: Please Explain (D7) Comments

CDC Number	Offender Name (LAST, FIRST, MI)	Parole Unit	Date of Discovery
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J

Unit Supervisor's Determination

Case Conference Date:

Between (Agent) and (Supervisor)

Instrument Recommendation: ☐ Least Intensive ☐ Moderately Intensive ☐ Most Intensive A ☐ Most Intensive B ☐ Most Intensive C

Parole Agent Recommendation: ☐ Least Intensive ☐ Moderately Intensive ☐ Most Intensive A ☐ Most Intensive B ☐ Most Intensive C

Concur with Agent's Response : ☐ YES ☐ NO

Unit Supervisor's Action: ☐ Review ☐ Retain Hold ☐ Release Hold as of Date:

☐ Cancel Warrants ☐ Continue on Parole Discharge Effective Date:

☐ Retain on Parole Reinstatement on Parole as of Date:

Time Loss: ☐ YES ☐ NO ☐ Refer to BPH Investigate and Submit Appropriate Report by (Date):

Unit Supervisor's Response Level: ☐ Least Intensive ☐ Moderately Intensive ☐ Most Intensive A ☐ Most Intensive B ☐ Most Intensive C

Override (Optional): This section shall be utilized only in extraordinary circumstances, and when an override is warranted. Indicate which factors are present to justify an adjustment in response level. The presence of stabilizing factors may suggest that the offenders risk can be appropriately mitigated. The presence of destabilizing factors may suggest that the offenders risk can be aggravated. Only in extreme circumstances should the instruments recommend response be adjusted by more than one level.

Unit Supervisor Override:
Note to Unit Supervisor: You must choose either Stabilizing or Destabilizing Factors, or both.

Stabilizing Factors: Select All that Apply	Destabilizing Factors: Select All that Apply
<div><input type="checkbox"/> Presence of Positive Family, Peer or other Social Support in the Community (S1)</div> <div><input type="checkbox"/> Job Stability (S2)</div> <div><input type="checkbox"/> Enrollment and Participation in an Established Education and / or Treatment Program (S3)</div> <div><input type="checkbox"/> Stable and Appropriate Residence (S4)</div> <div><input type="checkbox"/> Positive Performance History on Supervision (S5)</div> <div><input type="checkbox"/> Lack of Appropriate Program in Recommended Response</div> <div><input type="checkbox"/> Level with Appropriate Program Available at Lower Response Level (S6)</div> <div><input type="checkbox"/> Other: Please Explain (S7)</div> <div>Comments</div>	<div><input type="checkbox"/> Violation is Directly Related to Either the Commitment Offense or a Pattern of Previous Criminal Behavior (D1)</div> <div><input type="checkbox"/> Acutely Unstable Home Situation (D2)</div> <div><input type="checkbox"/> Demonstrated Inability of the Offender to Support self (D3)</div> <div><input type="checkbox"/> Evidence of Escalating Drug or Alcohol Addiction (D4)</div> <div><input type="checkbox"/> Chronic Pattern of Violations While Under Supervision (D5)</div> <div><input type="checkbox"/> Lack of any Appropriate Program in Recommended Response Level (D6)</div> <div><input type="checkbox"/> Other: Please Explain (D7)</div> <div>Comments</div>

Unit Supervisor's Response (please be specific when indicating response: e.g. Identify the of program the offender is required to attend):

RSTS Case ID:	<input type="checkbox"/> Refer to Parole Administrator		
Badge #	Name	Signature	Date

CDC Number		Offender Name (LAST, FIRST, MI)		Parole Unit		Date of Discovery							
K		Parole Administrator's Determination											
<input type="checkbox"/> Agree		<input type="checkbox"/> DOP		<input type="radio"/> Least Intensive		<input type="radio"/> Moderately Intensive		<input type="radio"/> Most Intensive A		<input type="radio"/> Most Intensive B		<input type="radio"/> Most Intensive C	
Parole Administrator's Response:													
<input type="checkbox"/> Refer to BPH		Discharge Effective Date:				Parolee/Release Copy provided on Date:							
Badge #		Name				Signature				Date			

CHARGE SHEET / REVOCATION TRACKING / SCHEDULING REQUEST
 CDC 1676 (REV 3/97) NARCOTIC ADDICT EVALUATION AUTHORITY

 REPORT TO: ☐ BOARD OF PRISON TERMS

☐

CDC NUMBER	NAME (LAST, FIRST, MI)		NAME BOOKED AS		RECEIVED BY	SATCU - ST <input type="checkbox"/> YES <input type="checkbox"/> NO
ARREST DATE	ARRESTING AGENCY		BOOKING NUMBER AND / OR LOCATION		<input type="checkbox"/> MANDATORY <input type="checkbox"/> NON - MANDATORY	
ARREST CODE *	* ARREST CODES: A P&CSD STAFF ALONE AB P&CSD ASSISTED BY LAW ENFORCEMENT AGENCY		CONTROLLING DISCHARGE DATE B LAW ENFORCEMENT AGENCY ALONE D LAW ENFORCEMENT AGENCY WITH INFORMATION FROM P&CSD			
HOLD DATE	DISCOVERY DATE	HOLD REMOVED DATE	AGENT OF RECORD		DISCHARGE REVIEW DATE	
CHARGES AND CODES			DO NOT WRITE IN THIS SPACE	CHARGES AND CODES		
1.				4.		
2.				5.		
3.				6.		
REASON FOR RETAINING PAROLE HOLD			PAROLEE DANGER TO:		PAROLEE - RELEASEE COPY PROVIDED (DATE)	MAILED OR DELIVERED BY
<input type="checkbox"/> ABSCOND <input type="checkbox"/> SELF <input type="checkbox"/> PROPERTY-OTHERS <input type="checkbox"/> SAFETY-OTHERS						

AFTER COMPLETING THE ABOVE, DETACH THIS COPY FROM FORM SET AND ENTER VIOLATION REPORT TEXT BELOW:

DISTRIBUTION

ORIGINAL - Board Report

 GREEN - Regional Hearing Coordinator (The R.H.C. Copy
 With Bordered Area Completed Must Be Forwarded Within
 One Working Day Of Hold Discovery)

CANARY - Hearing Agent

PINK - Parolee

GOLDENROD - Unit Supervisor

CHARGE SHEET / REVOCATION TRACKING / SCHEDULING REQUEST
CDC 1676 (REV 3/97)

DISTRIBUTION

ORIGINAL - Board Report

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REPORT TO: ☐ BOARD OF PRISON TERMS
☐ NARCOTIC ADDICT EVALUATION AUTHORITY

CDC NUMBER	NAME (LAST, FIRST, MI)	NAME BOOKED AS	REGION / UNIT	SATCU - ST <input type="checkbox"/> YES <input type="checkbox"/> NO
ARREST DATE	ARRESTING AGENCY	BOOKING NUMBER AND / OR LOCATION	BPT REFERRALS <input type="checkbox"/> MANDATORY <input type="checkbox"/> NON - MANDATORY	
ARREST CODE *	* ARREST CODES: A P&CSD STAFF ALONE AB P&CSD ASSISTED BY LAW ENFORCEMENT AGENCY B LAW ENFORCEMENT AGENCY ALONE D LAW ENFORCEMENT AGENCY WITH INFORMATION FROM P&CSD			
HOLD DATE	DISCOVERY DATE	HOLD REMOVED DATE	AGENT OF RECORD	CONTROLLING DISCHARGE DATE
				DISCHARGE REVIEW DATE

CHARGES AND CODES	PLED GUILTY	CHARGES AND CODES	PLED GUILTY
1	<input type="checkbox"/>	4	<input type="checkbox"/>
2	<input type="checkbox"/>	5	<input type="checkbox"/>
3	<input type="checkbox"/>	6	<input type="checkbox"/>

PAROLEE / RELEASEE COPY PROVIDED (DATE)	MAILED OR DELIVERED BY
<input type="checkbox"/> ABSCOND <input type="checkbox"/> SELF <input type="checkbox"/> PROPERTY-OTHERS <input type="checkbox"/> SAFETY-OTHERS	

PAROLEE / RELEASEE'S ADDRESS	ADJUDICATION PENDING COURT DATE	VIOLATION REPORT FORWARDED TO REGION # _____ DATE
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TELEPHONE NUMBER	DATE P.A. III SIGNED REPORT	VIOLATION REPORT FORWARDED TO HEARING AGENT DATE
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NAME OF HEARING AGENT	DATE HEARING AGENT RECEIVED REPORT	DATE HEARING AGENT SERVED
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<input type="checkbox"/> REGIONAL SCREENING CALENDAR DATE: _____	<input type="checkbox"/> WAIVER CASE UNCONDITIONAL _____ OPTIONAL _____ TIMELINESS _____ ACTIVATED _____	<input type="checkbox"/> HEARING REQUESTED DATE: _____ <input type="checkbox"/> WAIVER FORWARDED TO REG. RECORDS DATE: _____
<input type="checkbox"/> PAROLEE ACCEPTED		
<input type="checkbox"/> PAROLEE REJECTED		
<input type="checkbox"/> SCHEDULED FOR REV. PROCEEDING		

<input type="checkbox"/> INTERPRETER LANGUAGE: (SPECIFY)	ATTORNEY DETERMINATION	ATTORNEY'S NAME, ADDRESS, ZIP CODE, AND TELEPHONE NUMBER
<input type="checkbox"/> FOR PAROLEE _____	<input type="checkbox"/> WAIVED <input type="checkbox"/> DENIED	
<input type="checkbox"/> FOR WITNESS <input type="checkbox"/> SIGN LANGUAGE	<input type="checkbox"/> STATE <input type="checkbox"/> OWN	

PANEL #	HEARING DATE & TIME	HEARING LOCATION	HEARING TIME (IN MINUTES)	NUMBER OF WITNESSES	NUMBER OF CHARGES
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IF THIS REQUEST IS MORE THAN 23 DAYS FROM HOLD DATE, STATE REASON

COMMENTS

DATE IF EXTENSION REQUESTED BY PAROLEE	DATE REVOCATION PACKAGE TO ATTORNEY	DATE SUPPLEMENTAL REPORT TO ATTORNEY
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SCHEDULING INFORMATION				
HEARING AGENT REQUESTED? <input type="checkbox"/> YES <input type="checkbox"/> NO	R.H.C. REQUESTED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE CONFIRMED BY BPT	DATE H.A. NOTIFIED	DATE SUBPOENA ISSUED BY H.A.
POSTPONED DATE(S)	DATE RESCHEDULED BY H.A.	DATE RESCHEDULED BY R.H.C.	DATE CONFIRMED	DATE H.A. NOTIFIED

HEARING DECISION					
DATE HEARING HELD	WAIVER DECISION	REV. / RTC NO. MONTHS	C.O.P. EFFECTIVE	DISCHARGE EFFECT DATE	OTHER

VIOLATION PACKAGE DISPOSITION		
DATE TO R.H.C.	DATE TO RECORDS	OTHER

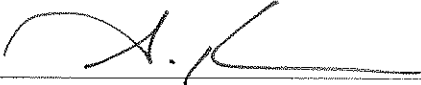
CERTIFICATION OF OPERATIONAL NECESSITY
[Per Penal Code Section 5058.3]

This action adopts provisions governing the Parole Violation Decision Making Instrument (PVDMI) that will enable staff within the California Department of Corrections and Rehabilitation (CDCR), to uniformly determine, recommend, and impose proportionate and consistent sanctions for parole violations. These recommended sanctions are based on the risk level of the offender as well as the severity of the violation. Currently, the PVDMI is an authorized Pilot Program under the authority of Penal Code (PC) section 5058.1, which adopted section 3999.6 of Title 15, Division 3.

Recently, special reform legislation, Senate Bill (SB) X3-18, was signed into law on October 12, 2009 and becomes effective January 25, 2010. Adopted within SB X3-18 is new PC section 3015. More specifically, under PC section 3015, subdivisions (b) – (b)(2) state in part that “the department shall employ a parole violation decision making instrument to determine the most appropriate sanctions for these parolees who violate their conditions of parole,” and that “the department shall adopt emergency regulations to implement this section initially, and shall subsequently adopt permanent regulations that make appropriate changes in policies and procedures to reflect the intent of this section.”

It is necessary to file these regulations on an Emergency Operational Basis in order to be in compliance with the requirements of PC section 3015, and to ensure that the PVDMI is available for immediate use by CDCR staff that will implement a consistent and standardized decision making process for parole violations on a statewide basis. This also enhances the overall safety of the community by ensuring that proper programming needs and remedial sanctions are provided consistently and fairly to those parole violators.

I, Scott Kernan, Undersecretary, Operations, certify that the operational needs of the Department require the proposed adoption of the California Code of Regulations, Title 15, Sections 3768, 3768.1, 3768.2, and 3768.3, PVDMI, pursuant to Penal Code section 5058.3.



SCOTT KERNAN
Undersecretary, Operations
Department of Corrections and Rehabilitation

12-17-09

Date